

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 6:17-CR-39
	§	
EDUARDO PINEDA (01)	§	

FACTUAL BASIS

Investigation by the Texas Department of Public Safety (DPS), the United States Drug Enforcement Administration (DEA), and the Smith County Sheriff's Office (SCSO) disclosed the following facts that establish that I, the defendant, Eduardo Pineda, violated 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2. I accept the following factual basis as true and correct:

1. From on or about July 28, 2015, and continuing through on or about March 7, 2017, in the Eastern District of Texas, and elsewhere, I conspired and agreed with others to violate 21 U.S.C. § 841(a)(1), prohibiting the knowing and intentional manufacture and distribution of, and possession with intent to manufacture and distribute, 1000 or more marihuana plants, a Schedule I controlled substance.
2. I knew of the unlawful purpose of the agreement.
3. I joined in the agreement willfully, that is, with the intent to further its unlawful purpose.
4. The overall scope of the conspiracy involved at least 1000 or more marihuana plants.

5. I knew that the scope of the conspiracy involved at least 1000 or more marihuana plants.

6. On or about June 3, 2016, in the Eastern District of Texas, I knowingly and intentionally manufactured and possessed with intent to manufacture and distribute 100 or more marihuana plants.

7. On this date, I traveled with Abraham Ramirez to the Davy Crockett National Forest in furtherance of the manufacture of the marihuana plants. There were more than 100 marihuana plants on the property in the Davy Crockett National Forest.

8. I understand that marihuana is a Schedule I controlled substance.

9. I was involved with a number of marijuana grow operations in the Eastern District of Texas. Among them were grow operations near CR 419 in Smith County, in the Davy Crockett National Forest, in the Sabine National Forest, near CR 156 in Anderson County, near CR 2307 in Morris County, and near Periwinkle Road in Upshur County.

10. I acknowledge that these acts constitute violations of 21 U.S.C. §§ 846 and 841(b)(1)(A)(vii) (Conspiracy to Manufacture and Distribute and Possess with Intent to Manufacture and Distribute 1000 or more Marihuana Plants).

I hereby stipulate that the facts described above are true and correct and accept them as the uncontroverted facts of this case.

Dated: 7/19/19



Eduardo Pineda
Defendant

Defendant's Counsel's Signature and Acknowledgment:

I have read this Factual Basis and the Plea Agreement in this matter and have reviewed them with my client, Eduardo Pineda. Based upon my discussions with my client, I am satisfied that he understands the terms and effects of the Factual Basis and the Plea Agreement and that he is signing this Factual Resume voluntarily.

Dated: _____

7/19/19



Greg Waldron
Attorney for Defendant